

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Ainsworth et al.
Title: SERVICE TRACKING AND
ALERTING SYSTEM FOR
FITNESS EQUIPMENT
Appl. No.: 10/765,704
Filing Date: 01/26/2004
Examiner: Richman, Glenn E.
Art Unit: 3764

CERTIFICATE OF FACSIMILE TRANSMISSION I hereby certify that this paper is being facsimile transmitted to the United States Patent and Trademark Office, Alexandria, Virginia on the date below. _____ (Printed Name) _____ (Signature) _____ (Date of Deposit)

EXAMINER INTERVIEW SUMMARY

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

On August 31, 2009 and September 3, 2009, telephonic interviews were held between Examiner Richman and Applicants' attorney, Todd A. Rathe. The notice of non-compliant amendment mailed on August 4, 2009 was discussed. As noted by Applicants, the previous amendment simply rewrote objected to claims in independent form; therefore, a discussion of the prior art was not required. It was agreed upon that the Examiner would withdraw the Notice of Non-Compliant Amendment and no response thereto was required of Applicants. It was further agreed upon that the case would be in condition for allowance upon cancellation of claims 35, 36, 49 and 51. The Examiner agreed to make such claim cancellations by Examiner's Amendment.

Applicants wish to thank Examiner Richman for the opportunity to discuss the above issues and for the indicated allowance of the application.

PREC122226

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

Respectfully submitted,

Date September 9, 2009

By /Todd A. Rathe

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